

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY	
Robertson, Anschutz & Schneid, P.L. 6409 Congress Ave., Suite 100 Boca Raton, FL 33487 Telephone Number 561-241-6901 Attorneys For Secured Creditor	CASE NO.: 17-23199-RG CHAPTER 13
Miriam Rosenblatt, Esq. (MR-7505)	Objection to Confirmation of Debtor's Chapter 13 Plan
In Re: Jesse Diaz, Debtor.	

OBJECTION TO CONFIRMATION OF DEBTOR'S CHAPTER 13 PLAN

DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE FOR RESIDENTIAL ASSET SECURITIZATION TRUST SERIES 2006-A10 MORTGAGE PASS-THROUGH CERTIFICATES SERIES 2006-J ("Secured Creditor"), by and through its undersigned counsel, objects to confirmation of Debtor's Chapter 13 Plan (DE # 3), and states as follows:

1. Debtor, Jesse Diaz, ("Debtor"), filed a voluntary petition pursuant to Chapter 13 of the Bankruptcy Code on June 28, 2017.
2. Secured Creditor holds a security interest in the Debtor's real property located at 30 LINN SMITH RD, FRANKFORD, NJ 07826, by virtue of a Mortgage recorded on June 20, 2006 in Book 7632, at Page 103 of the Public Records of Sussex County, NJ. Said Mortgage secures a Note in the amount of \$568,000.00.
3. The Debtor filed a Chapter 13 Plan on June 28, 2017.
4. The Plan fails to include arrears payments toward the Note and Mortgage with Secured Creditor. It is anticipated that Secured Creditor's claim will show the pre-petition arrearage due Secured Creditor is \$2,476.12. Therefore, the Plan is not in compliance with the requirements of 11 U.S.C. §§ 1322(b)(3) and 1325(a)(5) and cannot be confirmed. Secured Creditor objects to any plan which proposes to pay it anything less than \$2,476.12 as the pre-petition arrearage over the life of the plan.

WHEREFORE, Secured Creditor respectfully requests this Court sustain the objections stated herein and deny confirmation of Debtor's Plan, and for such other and further relief as the Court may deem just and proper.

Robertson, Anschutz & Schneid, P.L.
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Telephone Number 561-241-6901

By: /s/Miriam Rosenblatt
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Robertson, Anschutz & Schneid, P.L. 6409 Congress Ave., Suite 100 Boca Raton, FL 33487 Telephone Number 561-241-6901 Attorneys For Secured Creditor Miriam Rosenblatt, Esq. (MR-7505)	CASE NO.: 17-23199-RG CHAPTER 13 Objection to Confirmation of Debtor's Chapter 13 Plan
In Re:	
Jesse Diaz	
Debtor.	

CERTIFICATION OF SERVICE

1. I, Miriam Rosenblatt, represent DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE FOR RESIDENTIAL ASSET SECURITIZATION TRUST SERIES 2006-A10 MORTGAGE PASS-THROUGH CERTIFICATES SERIES 2006-J in this matter.
2. On 8/28/2017, I caused a copy of the following pleadings and/or documents to be sent to the parties listed in the chart below: Objection to Confirmation of Debtor's Chapter 13 Plan.
3. I certify under penalty of perjury that the above documents were sent using the mode of service indicated.

8/28/2017

Robertson, Anschutz & Schneid, P.L.
Attorney for Secured Creditor
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Boca Raton, FL 33487
Telephone Number 561-241-6901

By: /s/Miriam Rosenblatt
Miriam Rosenblatt, Esquire
NJ Bar Number MR-7505
Email: mrosenblatt@rasflaw.com

<u>Name and Address of Party Served</u>	<u>Relationship of Party to the Case</u>	<u>Mode of Service</u>
Ronald I. LeVine 210 River Street Suite 11 Hackensack, NJ 07601	Attorney for Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other
		(as authorized by the court*)
Marie-Ann Greenberg Chapter 13 Standing Trustee 30 Two Bridges Rd Suite 330 Fairfield, NJ 07004	Chapter 13 Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other
		(as authorized by the court*)
U.S. Trustee. US Dept of Justice Office of the US Trustee One Newark Center Ste 2100 Newark, NJ 07102	U.S. Trustee.	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other
		(as authorized by the court*)
Jesse Diaz 30 Linn-Smith Road Augusta, NJ 07822	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other
		(as authorized by the court*)